

Message Text

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41

ACTION EA-10

INFO OCT-01 ISO-00 DEAE-00 CIAE-00 INR-07 IO-10 JUSE-00

NSAE-00 SNM-02 SY-05 TRSE-00 USIA-06 NSC-05 OES-03

OMB-01 DODE-00 PM-03 H-02 L-02 PA-01 PRS-01 SP-02

SS-15 /076 W

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R 090909Z APR 75

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC 4036

INFO AMEMBASSY BANGKOK

AMEMBASSY SINGAPORE

LIMITED OFFICIAL USE KUALA LUMPUR 1885

E.O. 11652: N/A

TAGS: SNAR, MY

SUBJ: NARCOTICS SPOT REPORT: NEW LAWS ON DRUG ABUSE

1. SUMMARY: GOM HAS PROPOSED NEW LEGISLATION PROVIDING DEATH PENALTY FOR DRUG TRAFFICKERS, AND DEPARTING FROM PAST PRACTICE, MINISTER OF LAW HAS ANNOUNCED GOM WILL EMPLOY WIRETAPS TO GATHER EVIDENCE AGAINST TRAFFICKERS. GOM ALSO IS KNOWN TO BE ACTIVELY CONSIDERING A CONSPIRACY LAW TO DEAL WITH DRUG CASES. THESE DEVELOPMENTS, PLUS STATEMENT BY INSPECTOR-GENERAL OF POLICE INDICATING POLICE WOULD BE TAKING A MORE ACTIVE ROLE IN WAR ON DRUG ABUSE ARE ALL HOPEFUL SIGNS OF MORE EFFECTIVE DRUG ENFORCEMENT EFFORTS IN MALAYSIA. END SUMMARY.

2. GOM HAS IN RECENT MONTHS EXPRESSED INCREASING CONCERN OVER DRUG ABUSE IN MALAYSIA. INCREASED USE OF MALAYSIA AS A TRANSIT ROUTE FOR INTERNATIONAL NARCOTICS SMUGGLING HAS LED TO CONSIDERABLE INCREASE IN THE AMOUNT OF HEROIN AVAILABLE HERE, (AT PRESENT TIME KL DEA BELIEVES THERE ARE NO PROCESSING LABORATORIES ACTIVE IN MALAYSIA) AND GOM IS ESPECIALLY CONCERNED SINCE NARCOTICS ABUSE SEEMS TO BE PARTICULARLY COMMON AMONG

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MALAY (AS OPPOSED TO CHINESE AND INDIAN) YOUTH. GOM MINISTER

OF TECHNOLOGY AND RESEARCH RECENTLY STATED THAT 80 PERCENT OF DRUG ADDICTS ARRESTED WERE MALAYS. FYI: THERE IS ALSO EVIDENCE OF INCREASED NARCOTICS EXPERIMENTATION AT THE KUALA LUMPUR INTERNATIONAL SCHOOL WHICH MOST AMERICAN TEENAGERS HERE ATTEND END FYI.

3. GOM HAS PROPOSED LAW PROVIDING DEATH SENTENCE OR LIFE IMPRISONMENT FOR NARCOTICS TRAFFICKING AT CURRENT SESSION OF PARLIAMENT. BILL IS EXPECTED TO BE PASSED. BILL DEFINES TRAFFICKING: MANUFACTURING, SELLING, GIVING, ADMINISTERING, SENDING, DELIVERING, PROCURING, SUPPLYING, OR DISTRIBUTING CERTAIN DANGEROUS DRUGS, AND PENALTIES INCLUDE DEATH SENTENCE OR LIFE IMPRISONMENT. PUBLIC PROSECUTOR WOULD HAVE DISCRETIONARY POWER TO TRY OFFENCES UNDER THIS LAW, OR UNDER LAWS WITH LESSER PENALTIES. GOM MINISTER OF LAW HAS ALSO STATED THAT GOM WILL EMPLOY WIRETAPS TO APPREHEND DRUG TRAFFICKERS (THIS IS IMPORTANT DEPARTURE FROM TRADITIONAL MALAYSIAN LEGAL PRACTICE WHICH STRICTLY ENFORCED INADMISSIBILITY OF WIRETAP EVIDENCE). GOM IS ALSO KNOWN TO BE CONSIDERING A CONSPIRACY LAW IN NARCOTICS CASES.

4. ON APRIL 7 GOM INSPECTOR-GENERAL OF POLICE (IGP) ANNOUNCED THAT MALAYSIA'S LARGEST DRUG SYNDICATE HAS BEEN SMASHED AND THIRTY-THREE OF ITS MEMBERS ARRESTED. IGP ADDED THAT POLICE COULD NOT LET MALAYSIAN CENTRAL NARCOTICS BUREAU (CNB--A SERIOUSLY UNDERMANNED ORGANIZATION CREATED IN 1973) COMBAT THE DRUG MENACE ALONE.

5. COMMENT: ADMISSABILITY OF WIRETAP EVIDENCE, AND INCREASED ACTIVITY BY POLICE IN NARCOTICS ENFORCEMENT ACTIVITY ARE REAL GAINS FOR WAR ON DRUG ABUSE HERE. INCREASED PENALTIES AND FACT THAT CONSPIRACY LAW (WHICH EMBASSY HAS LONG CONSIDERED KEY TO MORE EFFECTIVE ENFORCEMENT) NOW UNDER ACTIVE CONSIDERATION UNDERSCORES THE SERIOUSNESS WITH WHICH GOM VIEWS NARCOTICS PROBLEM. WE VIEW THESE DEVELOPMENTS AS HIGHLY FAVORABLE, AND WILL CONTINUE LOW KEY, LOW PROFILE SUPPORTIVE EFFORTS. IGP'S STATEMENT PAVES WAY FOR TRANSFER FROM CNB OF NORMAL RESPONSIBILITY FOR ENFORCEMENT LEAVING CNB FREE TO OPERATE IN FIELD OF PREVENTION AND REHABILITATION AS PREVIOUSLY REPORTED BY EMBASSY.

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Message Attributes

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Disposition Approved on Date:
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
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